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Summary of Stakeholders' submissions on Uruguay*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 19 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Institución Nacional de Derechos Humanos y Defensoría del Pueblo de Uruguay (INDDHH) (Uruguayan National Human Rights Institute and Ombudsman's Office) said that, with respect to Act No. 19.553 on Irrigation for Agricultural Purposes, there was a need to ensure the participation of civil society in the planning, management and monitoring of water resources, the protection of sources of drinking water, the inclusion of environmental evaluations and environmental monitoring strategies, to make provision for the settlement of disputes, establish effective penalties, prevent financial speculation based on water resources and ensure environmental safeguards, including the quality, quantity and availability of drinking water.[2]

3. INDDHH referred to the entry into force in 2017 of the new Code of Criminal Procedure, but mentioned a planned reform that changed the new Code's structure of protective rules and broadened the degree of police discretion in the initial moments of arrest and in the investigation undertaken to determine whether any offences had been committed. If approved, such a reform would have a negative effect on safeguards at the time of arrest, the right to liberty, the presumption of innocence and the degree of discretion required for judicial purposes.[3]

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4. INDDHH recalled that the last reform of the Code on Children and Adolescents stiffened the penalties imposed on adolescents in a regressive move which goes against the recommendations of international organizations, [4] the most serious change being the increase in the duration of precautionary measures from 90 to 150 days.[5]

5. INDDHH said that the deprivation of liberty among adolescents in centres managed by the National Institute for the Social Inclusion of Adolescents produced a punitive control effect.[6] It stressed that, despite some improvements, incarceration conditions amounted to cruel, inhuman and degrading treatment.[7] It referred to compulsive internment practices,[8] an insufficient educational offer and the frequent invoking of security needs for postponing or doing away with educational, recreational and social activities.[9] It considered that a revision of the system of juvenile justice and the development of a plan of action based on human rights were unavoidable.[10] It urged Uruguay to change its legislation, to give priority to non-custodial measures and to develop an institutional project emphasizing educational aspects.[11]

6. INDDHH reported the approval of the Comprehensive Act to Guarantee Women a Life Free of Gender-based Violence (2017), [12] but drew attention to the difficulties encountered in its application[13] and the concern regarding the resources that would be provided to its central bodies.[14] The constant manifestations of gender violence underline the need for greater efforts to implement the full scope of the law.[15]

7. INDDHH drew attention to the continuing infringement of the rights of persons with disabilities.[16] A number of centres ran supervisory systems that did not recognize persons with disabilities as subjects of law and revealed a lack of qualifications among the personnel caring for such people.[17] The staff in such centres were found to engage in sexual abuse of residents and infringements of their rights to intimacy and physical integrity which led to sanctions. [18] It is essential to be more watchful and to offer guarantees against institutional violence towards persons with disabilities in 24-hour protection centres.[19] It also called for the introduction of a supervisory mechanism in line with the Paris Principles.[20] It reported that work had started with civil society and the Executive Branch on a proposal for a supervisory mechanism linked to the Convention on the Rights of Persons with Disabilities, which would operate through INDDHH, although that would entail providing the latter with the necessary economic resources to undertake this new function.[21]

8. INDDHH said that a great deal still remained to be done to achieve the effective implementation of Act No. 19.122 on combating ethnic racial inequality.[22] The Act imposes participation quotas on the State, but concern arose at the difficulty of fulfilling the designated quota and the lack of training and planning in this area on the part of the State.[23]

9. INDDHH also expressed concern at the situation of migrants, especially those seeking asylum, who were especially vulnerable.[24] It considered that it was necessary to undertake concrete measures, especially regarding housing requirements during the first days of entry into the country.[25] It also drew attention to discrimination based on national origin and the economic means of migrants, which had proved an obstacle to the effective enjoyment of their rights.[26] It mentioned how difficult it was for the migrant population to obtain Uruguayan documents, pointing out that the effective enjoyment of the rights to health, employment and education, amongst others, was strongly dependent on having documents that were in order.[27]

III. Information provided by other stakeholders

A. Scope of international obligations[28] and cooperation with international human rights mechanisms and bodies[29]

10. Referring to previous UPR recommendations, [30] the International Human Rights Clinic of the University of Oklahoma College of Law (IHRC-OU) stated that Uruguay had not taken steps to ratify ILO Convention No. 169 concerning Indigenous and Tribal Peoples

in Independent Countries.[31] The National Council of the Charrúa Nation (CONACHA) recommended ratifying the Convention.[32]

11. International Campaign to Abolish Nuclear Weapons (ICAN) recommended ratifying the UN Treaty on the Prohibition of Nuclear Weapons.[33]

B. National human rights framework[34]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[35]

12. Amnesty International (AI) stressed that despite accepting a recommendation to "prevent and protect against all forms of discrimination, violence and harassment related to sexual and gender identity",[36] no significant action has been taken.[37]

13. Joint Submission 1 (JS1) said that significant progress had been achieved in terms of protecting the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people[38], who despite current legislation suffered discrimination on account of their gender identity, their sexual orientation, their gender expression and/or sexual characteristics.[39] Transgender persons in particular, despite legislative advances regarding their identity, lived in a situation of marginality.[40] It recommended that Uruguay should undertake public policies that tackled discrimination towards LGBTI people efficiently and effectively, including through the extension of such offences to the area of civil proceedings.[41]

14. JS1 recommended formulating a National Plan against Discrimination.[42] AI recommended developing a National Plan against Racism and Discrimination that includes actions to prevent and protect against discrimination based on sexual orientation, gender identity and sex characteristics.[43]

15. The Migrant Support Network expressed the need to centralize reports of discrimination with a support and monitoring body in order to build up a picture of racial discrimination and xenophobia.[44]

Development, the environment, and business and human rights[45]

16. The Asociación Civil Cieenpre Juntos (Cieenpre Juntos) (Cieenpre Juntos Civil Association) recommended promoting projects for the improvement and recovery of the environment.[46]

17. The Project on Organizing, Development, Education and Research (PODER) recommended that Uruguay should concentrate on the needs of businesses and human rights;[47] strengthen the human rights policies of state and parastatal businesses and those subject to government participation or control;[48] prevent human rights violations perpetrated abroad by firms domiciled on its territory;[49] and contribute to the development of an international treaty which would be binding on transnational and other companies.[50]

2. Civil and political rights

Right to life, liberty and security of person[51]

18. JS1 referred to the violence against LGBTI persons and its high level of sadism and cruelty.[52] Owing to the lack of a law penalizing all forms of discrimination,[53] in cases of violence against LGBTI persons it is only possible to invoke criminal law offences such as inciting or perpetrating hate crimes, while judges often fail to apply criminal law, so that such offences mostly remain unpunished.[54] AI highlighted that there has been no progress in the investigation of the murders of four transgender women committed in 2012.[55] It recommended approving the Comprehensive Law for Trans Persons, fully investigating the above-mentioned four homicides and bringing those responsible to justice, and establishing

a monitoring mechanism for acts of violence towards LGBTI persons.[56] JS1 recommended preventing, combating and penalizing violence towards LGBTI persons and protecting their health and physical integrity, especially in the case of trans women.[57]

19. AI expressed concern about overcrowding in some prisons.[58] According to an official report, in 30 per cent of prisons the levels of violence and non-compliance with minimum standards might constitute cruel, inhuman or degrading treatment.[59] It recommended further efforts to reduce prisons' overcrowding, address the poor living conditions and ensure rehabilitation and integration opportunities.[60]

20. The Inter-American Commission on Human Rights-Organization of American States (IACHR-OAS) in 2015 condemned the acts of violence committed by public officials of the Uruguayan Institute of Children and Adolescents against adolescents deprived of liberty and called for continuing the policy of investigating, punishing those responsible and preventing other similar acts.[61]

Administration of justice, including impunity, and the rule of law[62]

21. On accepted recommendations to cooperate with the investigations into crimes under international law and serious human rights violations,[63] AI stated that truth, justice and reparation for victims of crimes committed under the civil-military government between 1973 and 1985 have not yet been achieved.[64] IACHR-OAS said that many obstacles remained in the struggle against impunity.[65] It joined with other organizations in commenting on the little progress achieved in the trials conducted for the serious human rights violations perpetrated during the civil-military dictatorship.[66] The Asociación civil de ex presas y ex presos políticos de Uruguay (Crysol) (civil association of former political prisoners of Uruguay) referred to a risk of impunity related to serious human rights violations.[67] Cieenpre Juntos also said that the crimes of the dictatorship were not recognized as crimes against humanity, that the search for disappeared persons had been interrupted for a long time and that very few complaints had ever produced results.[68] It recommended investigating and searching for the victims of the dictatorship's enforced disappearances, and that the judiciary should recognize such investigations, crimes and enforced disappearances as imprescriptible crimes against humanity.[69]

22. Crysol reported that, in 2013, the Supreme Court of Justice deemed unconstitutional certain articles that considered the grave human rights violations of the dictatorship period subject neither to limitation nor to amnesty (resolution No. 20/2013).[70] AI said that in 2017, the Supreme Court of Justice, in contravention of international law, issued Judgments 680/2017 and 1925/2017 establishing once again a statute of limitations for crimes against humanity committed by State officials during the civil-military government.[71] According to Crysol, all subsequent cases submitted to the Court invoked judgment No. 680/2017 in order to close judicial investigations.[72] AI said that, according to IACHR-OAS, the Supreme Court of Justice decision declaring unconstitutional the inapplicability of the statute of limitations for crimes against humanity perpetrated during the dictatorship run counter international human rights obligations and inter-American standards.[73]

23. AI recommended that Uruguay abolish the Amnesty Law (1986) and bring to justice those suspected of criminal responsibility for crimes under international law, including crimes against humanity; ensure that amnesties, statutory limitations, principles of non-retroactivity of criminal law and other similar measures are not applied to crimes under international law, including crimes against humanity and past human rights violations; and fully comply with the Inter-American Court of Human Rights' judgment in the case *Gelman v. Uruguay* (2011).[74]

24. IACHR-OAS in 2017 condemned all death threats against authorities, judicial officials and human rights defenders who played any part in the judicial proceedings that concerned serious human rights violations perpetrated during the military dictatorship.[75] It urged Uruguay to take steps to ensure the safety of judicial officials.[76] IACHR-OAS granted precautionary measures in favour of a threatened person.[77] AI raised a similar concern.[78]

25. Crysol drew attention to shortcomings in the laws on compensation for victims, pointing out that they did not cover all victims such as persons deprived of liberty or those brought before military courts.[79]

26. Joint Submission 4 (JS4) said that the mechanisms for incorporating gender and human rights perspectives in judicial decisions were weak and that discriminatory practices devoid of any human rights perspective still persisted.[80] It recommended that Uruguay should incorporate human rights-based gender, race and ethnic perspectives in the administration of justice; jointly with other State bodies ensure that decisions adopted for the protection of women, girls and adolescents were effective; systematize the case law it invokes and effectively implement international and national human rights norms.[81]

27. Defence for Children International (DNI) reported that in 2017 the new Code of Criminal Procedure entered into effect, bringing with it improved guarantees of due process and respect for human rights.[82] Colectivo Catalejo (Catalejo) said that the initiative opposing the reform of the new Code of Criminal Procedure, approved in the Senate in 2018, put at risk the principles established in the new code.[83] For example, article 6 establishes mandatory pre-trial detention for repeat offenders in cases of aggravated theft, drugs and indecent assault with violence, which tends to generalize pretrial detention and makes it mandatory.[84]

28. Joint Submission 3 (JS3) referred to the implications of the modification of the Code of Criminal Procedure for adolescents in conflict with the law,[85] which had affected the Code on Children and Adolescents.[86] One of the modifications implied that adolescents accused of attempted robbery with violence should be deprived of liberty until they had been judged.[87] That went against a 2014 EPU recommendation.[88] DNI commented that such a situation marked a step back in terms of the rights of children and adolescents.[89]

29. JS3 welcomed the creation of the Instituto Nacional de Inclusión Social Adolescente (National Institute for the Social Integration of Adolescents) to manage socio-educational measures to assist adolescents in conflict with the law.[90] It welcomed efforts to ensure that the practices of the juvenile criminal system were in line with current legislation.[91] Nevertheless, Uruguay was the Latin American country with the greatest number of adolescents deprived of liberty in relation to its population.[92] AI asserted that according to the National Preventive Mechanism, of the 621 people aged 13 to 17 years institutionalized in Uruguay as of December 2016, 76 per cent were in institutional confinement.[93]

30. DNI considered that the lack of non-custodial socio-educational measures and the failure to apply restorative justice were the reason why in the case of adolescents the deprivation of liberty was always the first measure applied.[94] AI recommended reducing the application of the deprivation of liberty in the juvenile penal system.[95] JS3 recommended that Uruguay eliminate deprivation of liberty or, if it could not be avoided, cut it down to the shortest possible duration, and where it really was inevitable invest resources to protect the rights of adolescents.[96] DNI recommended revising criminal legislation concerning adolescents.[97]

Fundamental freedoms and the right to participate in public and political life[98]

31. IACHR-OAS noted with concern the increase in 2017 of criminal complaints for defamation and insult against journalists by public officials who were allegedly affected by publications related to their duties. Stigmatizing statements by persons and public officials and against journalists and the media had also been recorded.[99]

32. Access Now mentioned that in 2017 the right to access public information suffered a legal setback due to an Executive Decree declaring that "any public official who makes public, divulges or discloses to third parties the documents referred to in this article, except in the cases provided for by law, shall incur a very serious offense". It said that the language was vague and could prevent public interest data from becoming public, which could restrict the access to information about public health and security, corruption and human rights violations.[100] It recommended Uruguay to refrain from adopting legislation similar to Executive 500/991, the broad language of which could be construed to impose liability on state whistle-blowers.[101]

33. Cieenpre Juntos recommended promoting Act No. 18.381 on "Access to Public Information" to ensure that any citizen could enjoy such access throughout the country.[102]

34. Access Now referred to the adoption of a "free software" law, outlining that the Government should use free or open source software unless a good justification exists.[103] Nevertheless, the surveillance software called "The Guardian" purchased by the Government did not comply with this regulation.[104] It recommended passing legislation protecting net neutrality; banning the Government mass surveillance; following rights-respecting procedures for procurement, maintenance and access to surveillance technology; and establishing civilian oversight and requiring independent judicial authorization for its use.[105]

35. Migrant Support Network said that, despite recommendations calling for voting rights for Uruguayans abroad,[106] efforts were still continuing to implement a suitable mechanism for exercising that right.[107] Cieenpre Juntos recommended adopting a law to interpret the Constitution so that Uruguayans living abroad could participate in the political life of the country.[108]

Prohibition of all forms of slavery[109]

36. Joint Submission 5 (JS5) said that the recommendations on the trade in persons were currently being implemented[110] or had been partially implemented.[111] It added that the Comprehensive Act on Trafficking in Persons was being considered in the Chamber of Deputies;[112] that there was no National Plan of Action;[113] that the programme for the protection of victims and witnesses was being implemented with difficulty and only during trials;[114] that the Inter-Agency Board did not have its own budget and was not considered as thematically relevant for public policy;[115] that the prosecution of persons involved in such offences was very rare;[116] and that little was still known of labour trafficking.[117]

37. JS5 recommended that Uruguay develop actions to create awareness of human trafficking; approve and implement a National Plan; provide resources to the Inter-Agency Board on Combating Human Trafficking; approve legislation clearly providing the necessary financing for its implementation; establish a policy for the restoration of victims' rights; and provide the necessary training to officials.[118]

38. Migrant Support Network said that efforts had been made to shed light on human trade and trafficking and to incorporate a gender perspective. In the Comprehensive Act against Gender Violence, one variant was trafficking for the purposes of sexual exploitation, although difficulties had been encountered in its implementation to ensure adequate care for victims.[119] It found considerable exploitation of sex workers.[120] It considered it was not easy to ensure adequate support for the victims of gender violence and especially trafficking on account of the insufficient means available.[121]

3. Economic, social and cultural rights

Right to an adequate standard of living[122]

39. JS3 said that the efforts made to achieve housing standards were inadequate, considering that there were still Uruguayan citizens who did not have access to decent housing.[123] It recommended increasing public expenditure on housing and ensuring access to housing for families not covered by housing plans and programmes.[124]

Right to health[125]

40. JS4 said that Act No. 18987 (2012) allowed the voluntary termination of pregnancy under certain conditions. However, the abusive resort to conscientious objection on the part of health professionals had led to a severe infringement of rights.[126] It recommended that Uruguay regulate the exercise of conscientious objection and ensure the timely removal of the women concerned from institutions where such abuse was practised.[127]

41. With regard to sexual and reproductive health, JS4 recommended training personnel in key areas such as pregnancies among adolescents and children, contraception, voluntary termination of pregnancy, sexual diversity and gender violence; and developing strategies

to create awareness of existing laws and available methods of contraception.[128] JS1 also recommended implementing throughout the public and private health systems a protocol of comprehensive and compulsory care for LGBTI persons in line with international standards; and prohibiting conversion therapies or any other practices that infringe the sexual and reproductive rights of all persons and LGBTI persons in particular.[129]

42. AI said that Law No. 19,529 on Mental Health (2017) did not comply with the recommendations of treaty bodies and the NHRI.[130] It recommended modifying this Law to establish an autonomous Human Rights Review Body on Mental Health and eliminate references to "persons with mental disorders"; providing an adequate budget for its effective implementation; and establishing a schedule for the permanent closure of mental asylums and psychiatric hospitals.[131] Joint Submission 2 (JS2) recommended ensuring that Act No. 19.529 and its implementing regulations should incorporate a human rights approach, as well as ensuring that the National Mental Health Care Oversight Commission proposed by that Act should be autonomous and independent.[132]

Right to education[133]

43. JS3 said that education had reached significant levels of entry and maintenance in the system, with the inclusion of the most vulnerable sectors of the population.[134] Nevertheless, despite recommendations regarding normal completion and school dropout,[135] no substantial changes has been made in that respect.[136] It recommended that Uruguay develop public policies in support of the factors allowing the development of children and adolescents as a strategy to ensure their timely completion of middle school education and avoid their departure from the system; increase the budgets for educational centres that catered for middle school students from the lowest socioeconomic background; and initiate programmes to readmit socially vulnerable adolescents to the educational system.[137]

44. IHRC-OU asserted that it was not clear the steps taken to protect from discrimination within the education system.[138] JS1 referred to the lack of coverage in the classroom of sexual education, especially in the areas of sexual diversity and gender.[139] It recommended ensuring a form of education that was free of discrimination and included full sexual education; and implementing policies to encourage public and private educational establishments to adopt anti-discriminatory measures to prevent any sort of harassment or intimidation against LGBTI persons.[140] JS4 recommended giving effective coverage to sexual and reproductive education in primary and secondary schools that took account of human rights, gender, sexual identity, sexual orientation and racial/ethnic factors.[141]

45. Cieenpre Juntos recommended undertaking the establishment of the University of Education to provide comprehensive training to teachers at the three levels of education, focusing their training on the principle of professional autonomy.[142]

46. JS4 recommended ensuring that education was secular.[143]

47. ADF International recommended that Uruguay respect the choices of parents concerning their children's education.[144]

4. Rights of specific persons or groups

Women[145]

48. JS4 said that Uruguay still had high numbers of women killed by their companions or former companions.[146] JS5 reported that between 1 January and 30 June 2018 the Public Security System (Ministry of the Interior) recorded 20.053 complaints of domestic violence and related offences, and that of the 26 femicides recorded between 1 January and November 2917, over 90 per cent were committed in the home.[147]

49. AI was concerned about the lack of measures to prevent and combat gender-based violence.[148] It stated that the persistent prejudices in judicial sentencing and the lack of follow up of victim reports by the police constituted an obstacle to the fight against all forms of gender-based violence.[149]

50. IACHR-OAS welcomed the approval of the Act qualifying femicide.[150] JS5 said that, although the promulgation of Act No. 19.580 on violence against women based on gender marked significant progress, disagreements had arisen regarding its content and difficulties with its implementation.[151] JS4 said that the legal advance was not backed by sufficient budgets, human resources or training, especially with regard to access to justice;[152] and that the Act would not have a positive impact if the necessary resources were not made available to justice, health and education operators.[153] It noted as areas of particular concern the training of State officials, especially in the health, justice and education sectors; the implementation of steps to modify discriminatory cultural standards; and resources for giving effect to the Act.[154] AI shared those concerns, including as regards the poor victim support services.[155]

51. JS5 recommended providing the necessary resources to put the law in practice.[156] JS4 recommended allocating a larger budget to the National Women's Institute and reviewing its position as a Ministry; allocating a budget to courts specialized in gender violence cases and training their officials; and strengthening the monitoring and evaluation of the implementation of the recommendations put forward by CEDAW, CERD, DESC and EPU.[157] AI recommended that Uruguay convene the National Advisory Council for a Life Free of Gender Violence against Women and the Observatory for Monitoring and Evaluation created by Law 19,580 and that it fully investigate gender-based violence and bring those responsible to justice.[158]

52. JS5 said that the recommendation to establish mechanisms charged with supervising the application of the protocols of governmental organizations [159] had not been implemented, which affected the protection of women and perpetuated bad practices.[160] It recommended developing mechanisms to supervise and monitor governmental and non-governmental practices.[161]

53. JS5 considered that the recommendations concerning measures of protection for the victims of domestic violence[162] had been only partially implemented since those that had been developed had proved inadequate.[163] It recommended strengthening protection mechanisms in order to avoid femicides and ensuring single entry to the protection network to avoid revictimization.[164]

54. Cieenpre Juntos drew attention to the shortage of shelters for victims of domestic and gender violence, as well as that of psychological and medical treatment.[165] It recommended providing them with shelter.[166]

Children[167]

55. JS3 said that violence against children and adolescents was a serious problem.[168] It recommended that Uruguay should provide information giving a picture of that sort of violence, and training all those working with children and adolescents, including those in the medical and judicial systems, in order to ensure that such violence did not give rise to more victimizations or unnecessary institutionalization.[169]

56. JS5 said that while the offence of sexual abuse[170] was made an offence in 2017, its detection was uncertain[171] and little publicized.[172] Difficulties with its detection and care were reported by the health system.[173] It referred to revictimization practices affecting children and adolescents[174]. It recommended setting up interdisciplinary and specialized care facilities; introducing complaint channels that were accessible, confidential and adapted to children and adolescents; and investigating the homicides of children and adolescents and bringing those responsible to justice.[175]

57. With regard to the commercial sexual exploitation of children and adolescents, JS5 recommended giving an official rank to the mechanisms in charge of public policy on commercial sexual exploitation; implementing services specializing in the care of victims; and strengthening the system of justice with technical teams specialized in victim support and training their members.[176]

Persons with disabilities[177]

58. Cieenpre Juntos recommended regulating Act No. 18.651 on Comprehensive Protection for Persons with Disabilities.[178] JS2 recommended aligning it with the Convention on the Rights of Persons with Disabilities.[179]

59. JS2 recommended that Uruguay should develop a statistical information system in order to formulate policies that protected the rights of persons with disabilities.[180]

60. JS2 said that persons with disabilities were exposed to discrimination and that stereotypes persisted.[181] It recommended altering legislation so as to ensure that the denial of reasonable adjustments constituted discrimination; eliminating pejorative language from national legislation; and setting up the National Disability Institute, providing it with sufficient resources to implement public policies.[182]

61. JS2 said that persons with disabilities experienced difficulty obtaining education that developed their full potential and facilitated their entry to the labour market.[183]

62. JS2 said that the approval in 2017 of the Protocol of Action for the Admission of Persons with Disabilities in Education Centres was incomplete, as it still needed concrete definitions for its implementation, training for those who would be applying it and controller mechanisms.[184] Inclusive education for persons with disabilities was scarce and limited.[185] It recommended ensuring access to education for all persons with disabilities and their active participation in educational progress and establishing complaint mechanisms for situations of discrimination.[186]

63. JS2 said that access for persons with disabilities to transport, the physical environment, information and public communication was hard to come by, particularly in the interior of the country.[187] Cieenpre Juntos also referred to the lack of training of teachers in the Braille system and Uruguayan sign language.[188]

64. JS2 recommended that personal assistance services for persons with disabilities should aim to ensure their rights to an independent life and to have their place in the community.[189] It recommended speeding up the implementation of the National Plan of Access to Justice and Legal Protection for Persons with Disabilities.[190]

65. JS2 recommended that Uruguay should apply the quota of 4 per cent recruitment for persons with disabilities in the public sector and penalize organizations that failed to comply.[191] It recommended approving the Labour Inclusion for Persons with Disabilities Act for the private sector.[192]

Minorities and indigenous peoples[193]

66. CONACHA reported that there were no indigenous representatives in the Secretariat for Ethnic, Racial and Migrant Populations Affairs in the Departmental Council of Montevideo set up in 2016.[194] It recommended establishing a secretariat for indigenous affairs.[195]

67. CONACHA said that no steps had been taken to combat stereotypes, despite the EPU recommendation.[196] IHRC-OU stated that Uruguay has not taken steps to provide greater protection for indigenous peoples[197] and that due to lack of funding, the appointment of a member of the National Charrúa Council as honorary councillor for indigenous matters was at risk to disappear.[198]

68. IHRC-OU underscored that the lands, traditionally occupied by indigenous communities, have not been identified or designated as ancestral lands.[199]

69. IHRC-OU recommended that Uruguay combat stereotypes of persons of indigenous origin; create an environment in which they can preserve and give expression to their identity, history, culture, traditions and customs; recognize their collective rights; and include them in governmental affairs.[200]

70. CONACHA said that the State had not recognized its responsibility in the genocide of the Charrúa population.[201] It recommended recognizing the pre-existence and current existence of indigenous peoples, as well as the genocide of the Charrúa people.[202] IHRC-

OU recommended promoting a better understanding of how society deals with a past of genocide and how nations devastated by such crimes may overcome conflict. [203]

71. CONACHA referred to the critical situation of indigenous adolescent youths. Less than 5 per cent completed secondary schooling and no action had been taken to reduce the dropout rate. [204]

Migrants, refugees, asylum seekers and internally displaced persons

72. AI referred to unrealistic requirements for entry visa approval[205] and stated that there were no plans, protocols or processes to form an adequate migration and refugee policy and, as a result, the institutional response was not articulated, both with regard to regular and irregular migration. [206] Migrant Support Network considered that the imposition of visas to enter Uruguay infringed the right to migrate, endangered transit and destination and was an obstacle to family reunification. [207]

73. AI recommended that Uruguay prepare an action plan to comply with the Framework Document on Migration Policy; grant a specific budget to migration and refugee policies to ensure fair and efficient processing of asylum and residence requests; and review the requirements for entry visa approval to prevent unsafe migration and to facilitate family reunification. [208] Migrant Support Network recommended trying to make progress with the construction of a migration agenda.[209]

74. Migrant Support Network highlighted as the main labour problems the difficulty in accessing employment without documentation, informality and over-qualification, factors which were aggravated in the case of migrant women.[210]

75. Migrant Support Network considered that the lack of a housing solution for recently arrived immigrants in a vulnerable situation should be given priority.[211]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status).

Civil society

Individual submissions:

Access Now	Access Now (United States of America);
ADF International	ADF International (Switzerland);
AI	Amnesty International (AI) (United Kingdom of Great Britain and Northern Ireland);
Catalejo	Colectivo Catalejo (Uruguay);
Cieenpre Juntos	Asociación Civil Cieenpre Juntos (CIEENPRE) (Uruguay);
CONACHA	Consejo de la Nación Charrúa (CO.NA.CHA.) (Uruguay);
Crysol	Asociación civil de ex presas y ex presos políticos de Uruguay (CRYSOL) (Uruguay);
DNI	Defensa de los Niños Internacional (DNI)-Sección Uruguay (Uruguay);
ICAN	International Campaign to Abolish Nuclear Weapons (ICAN) (Switzerland);
IHRC-OU	International Human Rights Clinic of the University of Oklahoma College of Law (IHRC-OU) (United States of America);
PODER	Proyecto sobre Organización, Desarrollo, Educación e Investigación (PODER) (México);
Red de Apoyo al Migrante	Red de Apoyo al Migrante (Uruguay).

Joint submissions:

JS1	**Joint submission 1 submitted by**: Colectivo Ovejas Negras y la Iniciativa por los Derechos Sexuales (Uruguay);
JS2	**Joint submission 2 submitted by**: Alianza de Organizaciones por los Derechos de las Personas con Discapacidad en Uruguay (Asamblea Instituyente por Salud Mental, Desmanicomialización y Vida digna;

Asociación de Esclerosis Múltiple de Uruguay — EMUR; Asociación de Padres y Amigos de Sordos del Uruguay — APASU; Asociación de Sordos del Uruguay — ASUR (JUVESUR); Asociación de Usuarios de Montevideo e Interior de la República (ASUMIR); CENTEA Uruguay; Centro de Capacitación Humanizadora — CECAHU; Centro de Archivos y Acceso a la Información Pública — CAinfo; Centro de Investigación, Educación y Encuentro Popular Rebellato (CIEENPRE JUNTOS); Centro de Investigación y Desarrollo para la Persona Sorda - CINDE; Cotidiano Mujer; Federación Autismo Uruguay - FAU; Federación Uruguaya Asociaciones de Padres de Personas con Discapacidad Intelectual — FUAP; Fundación Bensadoun Laurent; Fundación Alejandra Forlán; Grupo de Trabajo sobre Educación Inclusiva en Uruguay - GT-EI; Instituto Interamericano sobre Discapacidad y Desarrollo Inclusivo - iiDi; Juntos por un sueño — Comisión de Apoyo a personas con Discapacidad de Ciudad de la Costa; Movimiento Estamos Todos En Acción — M.E.T.A — Uruguay; Nacer, Crecer, Vivir — NACREVI; Observatorio Uruguayo por los Derechos de las Personas con Discapacidad; ProEdu Educación Inclusiva de Calidad; Unión Nacional de Ciegos de Uruguay — UNCU (Uruguay);

JS3 **Joint submission 3 submitted by**: Edmund Rice International (ERI), Fundación Marista para la Solidaridad International (FMSI), Defensoría Edmundo Rice, Asociación Civil OBSUR and Centro Educativo Los Tréboles (Switzerland and Uruguay);

JS4 **Joint submission 4 submitted by**: Coalición de Organizaciones para el seguimiento del cumplimiento de las Recomendaciones (Comité de América Latina y el Caribe para la Defensa de los Derechos Humanos de las Mujeres (CLADEM), Colectiva Mujeres e Iniciativas Sanitarias) (Uruguay);

JS5 **Joint submission 5 submitted by**: Asociación Civil El Paso (ACEP) y Red Uruguaya contra la Violencia Doméstica y Sexual (RUCVDS) (Uruguay).

National human rights institution:

INDDHH Institución Nacional de Derechos Humanos y Defensoría del Pueblo*, Uruguay.

Regional intergovernmental organization(s):

IACHR-OAS Inter-American Commission on Human Rights-Organization of American States (IACHR-OAS) (United States of America).

[2] INDDHH, para. 17.
[3] INDDHH, para. 9.
[4] INDDHH, para. 10.
[5] INDDHH, para. 11.
[6] INDDHH, para. 33.
[7] INDDHH, para. 34.
[8] INDDHH, para. 34.
[9] INDDHH, para. 33.
[10] INDDHH, para. 35.
[11] INDDHH, para. 35.
[12] INDDHH, para. 12.
[13] INDDHH, para. 13.
[14] INDDHH, para. 14.
[15] INDDHH, para. 14.
[16] INDDHH, para. 21.
[17] INDDHH, para. 21.
[18] INDDHH, para. 22.
[19] INDDHH, paras. 22–23.
[20] INDDHH, para. 18.
[21] INDDHH, paras. 19–20.
[22] INDDHH, para. 29. See also INDDHH, para. 27.
[23] INDDHH, para. 29.
[24] INDDHH, para. 24.
[25] INDDHH, para. 25.
[26] INDDHH, para. 26.
[27] INDDHH, para. 26.

[28] The following abbreviations are used in UPR documents:
OP-ICESCR Optional Protocol to ICESCR.
[29] For relevant recommendations, see A/HRC/26/7, paras. 123.1–123.8, 123.66, 123.73, 123.106 and 123.145.
[30] A/HRC/12/12, paras.78.3 and 78.4, and A/HRC/26/7, paras. 123.4, 123.5, 123.6 and 123.7.
[31] IHRC-OU, p. 2.
[32] CONACHA, para. 34. See also IHRC-OU, p. 2.
[33] ICAN, p. 1.
[34] For relevant recommendations, see A/HRC/26/7, paras. 123.10–123.27, 123.29–123.30, 123.33, 123.36–123.37, 123.42-123.44, 123.46, 123.56, 123.58, 123.65, 123.79, 123.120, 123.122, 123.127, 123.131, 123.139, 123.144, 123.155 and 123.182.
[35] For relevant recommendations, see A/HRC/26/7, paras. 123.47-123.55, 123.57, 123.59, 123.62, 123.152, 123.158 and123.159.
[36] A/HRC/26/7, para. 123.67.
[37] AI, p. 5.
[38] JS1, para. 1.
[39] JS1, para. 4.
[40] JS1, para. 17.
[41] JS1, paras. 8–9.
[42] JS1, para. 11.
[43] AI, p. 7.
[44] Red de apoyo al migrante, p. 4.
[45] For relevant recommendations, see A/HRC/26/7, paras. 123.167 and 123.187.
[46] Cieenpre Juntos, para. 30.
[47] PODER, para. 16.
[48] PODER, para. 16.
[49] PODER, para. 20.
[50] PODER, para. 21.
[51] For relevant recommendations, see A/HRC/26/7, paras.123.16, 123.67, 123.71, 123.72, 123.74, 123.76–123.78, 123.80, 123.82, 123.84, 123.85-123.87, 123.89–123.95, 123.101, 123.107 and 123.143.
[52] JS1, para. 16.
[53] JS1, para. 5.
[54] JS1, para. 7.
[55] AI, p. 5.
[56] AI, p. 7. See also JS1, para. 23.
[57] JS1, paras. 21–22.
[58] AI, p. 1.
[59] AI, p. 3.
[60] AI, p. 6.
[61] IACHR-OAS, p. 2.
[62] For relevant recommendations, see A/HRC/26/7, paras.123.9, 123.75, 123.81, 123.83, 123.86, 123.88, 123.133, 123.136, 123.138, 123.140, 123.141 and 123.146–123.150.
[63] A/HRC/26/7, paras. 123.71 and 123.143.
[64] AI, p. 1.
[65] IACHR-OAS, p. 11.
[66] IACHR-OAS, p. 11, Cieenpre Juntos, para. 25 and Crysol, paras. 6 and 8.
[67] Crysol, para. 13.
[68] Cieenpre Juntos, para. 25.
[69] Cieenpre Juntos, para. 26.
[70] Crysol, para. 12.
[71] AI, p. 1. See also Crysol, para. 14.
[72] Crysol, para. 14.
[73] AI, p. 2.
[74] AI, p. 6.
[75] IACHR-OAS, p. 2. See also IACHR-OAS, p. 11 and AI, p. 2.
[76] IACHR-OAS, p. 2.
[77] IACHR-OAS, p. 11. See also IACHR-OAS, p. 2.
[78] AI, p. 2.
[79] Crysol, paras. 15–16.
[80] JS4, para. 24.
[81] JS4, p. 9.

[82] DNI, p. 1. See also Catalejo, para. 1 and IACHR-OAS, p. 10. See also A/HRC/26/7, paras. 123.134–123.136 and 123.144.
[83] Catalejo, para. 3.
[84] Catalejo, paras. 3–4.
[85] JS3, para. 14. See also DNI, p. 1.
[86] JS3, para. 16.
[87] JS3, para. 15. See also DNI, p. 1.
[88] JS3, para. 17. See also A/HRC/26/7, para. 123.134.
[89] DNI, p. 1. See also JS3, para. 16.
[90] JS3, para. 9.
[91] JS3, para. 10.
[92] JS3, para. 12.
[93] AI, p. 3.
[94] DNI, p. 2.
[95] AI, p. 6.
[96] JS3, paras. 19–20.
[97] DNI, p. 2.
[98] For relevant recommendations, see A/HRC/26/7, paras. 123.41, 123.151, 123.153, 123.154 and 123.156.
[99] IACHR-OAS, p. 11.
[100] Access Now, para. 12.
[101] Access Now, para. 19.
[102] Cicenpre Juntos, para. 32.
[103] Access Now, para. 14.
[104] Access Now, paras. 13–14.
[105] Access Now, paras. 16–18.
[106] See A/HRC/26/7, paras. 123.151, 123.152 and 123.153.
[107] Red de Apoyo al Migrante, p. 2.
[108] Cicenpre Juntos, para. 28.
[109] For relevant recommendations, see A/HRC/26/7, paras. 123.117, 123.118, 123.121, 123.123–123.126, 123.128–123.130, 123.132 and 123.142.
[110] JS5, paras. 6–8. See also A/HRC/26/7, paras. 123.120–120.124 and 123.127.
[111] JS5, paras. 10–17. See also A/HRC/26/7, paras. 123.117–123.119, 123.125–123.126, 123.128–123.133, 123.137, 123.142 and 123.145.
[112] JS5, para. 8. See also Red de Apoyo al Migrante, p. 3.
[113] JS5, para. 9.
[114] JS5, para. 13.
[115] JS5, para. 15.
[116] JS5, para. 16.
[117] JS5, para. 17.
[118] JS5, para. 21. See also Red de Apoyo al Migrante, p. 3.
[119] Red de Apoyo al Migrante, p. 3.
[120] Red de Apoyo al Migrante, p. 4.
[121] Red de Apoyo al Migrante, p. 4.
[122] For relevant recommendations, see A/HRC/26/7, paras. 123.39, 123.161–123.166, 123.169 and 123.171–123.175.
[123] JS3, para. 27. See JS3, paras. 25–26.
[124] JS3, paras. 35–34.
[125] For relevant recommendations, see A/HRC/26/7, paras. 123.176 and 123.178.
[126] JS4, para. 17.
[127] JS4, p. 8.
[128] JS4, p. 5.
[129] JS1, paras. 33 and 36.
[130] AI, p. 4.
[131] AI, p. 6.
[132] JS2, para. 6.
[133] For relevant recommendations, see A/HRC/26/7, paras. 123.177, 123.179, 123.181, 123.183 and 123.184.
[134] JS3, para. 37.
[135] JS3, para. 39. See A/HRC/26/7, paras. 123.177, 123.179 and 123.181–123.183.
[136] JS3, para. 44.
[137] JS3, paras. 46–48.
[138] IHRC-OU, p. 4.

[139] JS1, para. 12.
[140] JS1, paras. 14–15.
[141] JS4, p. 8.
[142] Cieenpre Juntos, para. 16(ii).
[143] JS4, p. 8.
[144] ADF International, para. 13(a).
[145] For relevant recommendations, see A/HRC/26/7, paras. 123.28, 123.45, 123.60, 123.61, 123.63, 123.68–123.70, 123.96–123.100, 123.102–123.105, 123.119, 123.137 and 123.160.
[146] JS4, para. 30. See also AI, p. 5.
[147] JS5, paras. 45–46.
[148] AI, p. 5.
[149] AI, p. 5.
[150] IACHR-OAS, p. 2. See also AI, p. 2, JS4, para. 5 and JS5, para. 47. See also A/HRC/26/7, paras. 123.96, 123.100, 123.102 and 123.105.
[151] JS5, para. 48.
[152] JS4, para. 31.
[153] JS4, p. 28.
[154] JS4, para. 6. See also AI, p. 2.
[155] AI, p. 2.
[156] JS5, para. 53(a). See also AI, p. 6.
[157] JS4, p. 13.
[158] AI, p. 6.
[159] See A/HRC/26/7, para. 123.95.
[160] JS5, para. 52.
[161] JS5, para. 53(f).
[162] See A/HRC/26/7, paras. 123.90 and 123.92–123.94.
[163] JS5, para. 51.
[164] JS5, para. 53(b)(c).
[165] Cieenpre Juntos, para. 23.
[166] Cieenpre Juntos, para. 24.
[167] For relevant recommendations, see A/HRC/26/7, paras. 123.31, 123.32, 123.34, 123.35, 123.64, 123.70, 123.108–123.116, 123.170 and 123.180.
[168] JS3, para. 50.
[169] JS3, paras. 62–64.
[170] JS5, para. 24.
[171] JS5, para. 27.
[172] JS5, para. 28.
[173] JS5, para. 29.
[174] JS5, para. 32(b)(c)(d).
[175] JS5, para. 44(a) (c) (d).
[176] For relevant recommendations, see A/HRC/26/7, paras. 123.185 and 123.186.
[177] Cieenpre Juntos, para. 22. See also JS2, para. 38(i).
[178] JS2, para. 38(ii).
[179] JS2, para. 9.
[180] JS2, para. 2.
[181] JS2, para. 3(i)(iii)(iv).
[182] JS2, para. 11.
[183] JS2, para. 14.
[184] JS2, para. 12.
[185] JS2, para. 17(i)(ii).
[186] JS2, para. 18. See also Cieenpre Juntos, paras. 4–8.
[187] Cieenpre Juntos, para. 9.
[188] JS2, para. 36(iv).
[189] JS2, para. 32(i).
[190] JS2, para. 32(vii).
[191] For relevant recommendations, see A/HRC/26/7, para. 123.38.
[192] CONACHA, para. 15.
[193] CONACHA, para. 30.
[194] CONACHA, para. 31. See also A/HRC/26/7, para. 123.46.
[195] IHRC-OU, p. 1.
[196] IHRC-OU, p. 2.
[197] IHRC-OU, p. 5.
[198] IHRC-OU, pp. 2, 3 and 5.

[199] CONACHA, para. 30.
[200] CONACHA, paras. 35–36. See also IHRC-OU, p. 3.
[201] IHRC-OU, p. 6.
[202] CONACHA, para. 33.
[203] AI, p. 3.
[204] AI, p. 4.
[205] Red de Apoyo al Migrante, pp. 4–5.
[206] AI, p. 6.
[207] Red de Apoyo al Migrante, p. 5.
[208] Red de Apoyo al Migrante, p. 6.
[209] Red de Apoyo al Migrante, p. 6.
[210] Red de Apoyo al Migrante, p. 6.
[211] Red de Apoyo al Migrante, p. 6.